

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Case Number: 13-cv-1373

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ACE INVESTORS, LLC,

Plaintiff/Petitioner/Appellee,

-against-

Second Circuit Docket Nos.:

13-1632

13-2264

MARGERIE RUBIN, AS TRUSTEE OF THE
RUBIN FAMILY IRREVOCABLE STOCK
TRUST,

Defendant/Respondent/Appellant,

ROBERT RUBIN, Individually; MARGERIE
RUBIN, Individually; MARGERIE RUBIN,
AS TRUSTEE OF THE RUBIN FAMILY
IRREVOCABLE MARITAL TRUST;
MARGERIE RUBIN, AS TRUSTEE OF THE
RUBIN FAMILY IRREVOCABLE REALTY
TRUST,

**FIRST AMENDED
NOTICE OF APPEAL**

Transferees/Appellants.

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NOTICE IS HEREBY GIVEN that Margery Rubin, Individually; Margery Rubin,
as Trustee of the Rubin Family Irrevocable Stock Trust; Margery Rubin, as Trustee of the
Rubin Family Irrevocable Marital Trust; Margery Rubin, as Trustee of the Rubin Family
Irrevocable Realty Trust; and, Robert Rubin, Individually, as Defendants/Appellants, do
hereby amend their notice of appeal to appeal to the United States Court of Appeals for the
Second Circuit from: (a) the Order and Judgment of the Honorable Victor Marrero, United

States District Judge, entered in this action on April 23, 2013 (Docket No.: 30); (b) the Order and Judgment of the Honorable Victor Marrero, dated May 8, 2013 and entered on May 9, 2013 (Docket Nos.: 45 and 46); and, (c) the Order of the Honorable Victor Marrero, entered on August 20, 2013 denying their motion, timely made pursuant to Rule 4(a)(4)(A)(vi) of the Federal Rules of Appellate Procedure for an order, under Rule 60(b)(3) of the Federal Rules of Civil Procedure, seeking to vacate the Order and Judgment made and entered in this action on April 23, 2013, and from every part of each of the said Orders and Judgments.

Dated: New York, New York
August 21, 2013

MASSOUD & PASHKOFF, LLP
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Respondents/Appellants

By: 

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